

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MONROE L. HUGHES

PLAINTIFF

V.

CIVIL ACTION NO. 3:25-CV-353-DPJ-ASH

KEESHA MIDDLETON

DEFENDANT

ORDER TO SHOW CAUSE

Pro se Plaintiff Monroe L. Hughes filed with his Complaint [1] a Motion for Leave to Proceed *in Forma Pauperis* [2]. Because Hughes's IFP application was incomplete, the Court ordered him to file another AO 239 Long Form Application. Order [3]. Although Hughes filed another IFP Motion [4], it remains incomplete. The Court warned Hughes that if he failed to comply with that order, his motion may be denied. Order [3].

Hughes's second application includes the income and asset information for both him and his spouse. Though he says he receives no monthly income, he indicates his spouse has and will continue to receive monthly income. In assessing a plaintiff's financial status, the Court may consider a spouse's income. *See Arbuckle v. Colvin*, No. 4:14-CV-27-O, 2014 WL 721519, at *1 (N.D. Tex. Feb. 25, 2014) (reviewing a spouse's monthly income in an IFP application where the plaintiff receives no monthly income or disability payments); *Owens v. Covington Cnty. Sheriff Dep't*, No. 2:18-CV-180-KS-MTP, 2018 WL 6112977, at *1 n.2 (S.D. Miss. Oct. 17, 2018), *report and recommendation adopted*, 2018 WL 6133183 (S.D. Miss. Nov. 21, 2018). Because Hughes's application contains contradictory information concerning his spouse's income, the Court directs Hughes to provide clarification.

For his answer to Question No. 1, Hughes says his spouse’s “average *monthly* income during the past 12 months” is \$14,400.¹ (Emphasis added). But the same employer has employed Hughes’s spouse since November 2020, and he says his spouse earns \$1,200 a month from that job and that his spouse’s income expected next month is also \$1,200. The Court, therefore, seeks clarification of his spouse’s income to assess his financial status.

The Court also directs Hughes to clarify his answer to Question No. 9. Though he indicates he expects “major changes to [his] monthly income or expenses . . . during the next 12 months,” he fails to describe on an attached sheet what those major changes are (as required on the form). Mot. [4] at 5. Because Hughes provided no attached sheet, the Court orders Hughes to submit an attached sheet with an explanation for his answer.

IT IS, THEREFORE, ORDERED that Hughes shall either, on or before June 23, 2025, (1) file a written response showing cause why his Motion for Leave to Proceed *in Forma Pauperis* should not be denied for his failure to comply with the Court’s Order [3] or, alternatively, (2) submit a completed long form application, clarifying his spouse’s income and providing an explanation to his answer to Question No. 9 on an attached sheet. The Court warns Hughes that failure to show cause or submit a completed IFP application may result in the denial of his Motion or dismissal of this case.

SO ORDERED AND ADJUDGED this the 9th day of June, 2025.

s/ Andrew S. Harris
UNITED STATES MAGISTRATE JUDGE

¹ An average monthly income of \$14,400 equates to an annual income of \$172,800. This seems improbable considering Hughes also claims his spouse receives monthly payments of \$658 in public assistance.